

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

Ex Parte: ALEXANDER MEDVINSKY
Application Number: 10/086,302
Filing Date: FEBRUARY 28, 2002
Title: DETECTION OF DUPLICATE CLIENT IDENTITIES IN
A COMMUNICATION SYSTEM
Confirmation No. 2065
Art Unit: 2137
Examiner: GELAGAY, SHEWAYE

REPLY BRIEF UNDER 37 C.F.R. § 41.41

Please consider the following Reply Brief for the above identified patent application. This Reply Brief is being filed in response to an Examiner's Answer dated March 18, 2008 in accordance with 37 CFR 41.41.

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Submittal Date: May 16, 2008

I. REAL PARTY IN INTEREST

It is agreed that General Instrument Corporation, a wholly owned subsidiary of Motorola, Inc., is the real party in interest.

II. RELATED APPEALS AND INTERFERENCES

To Appellant's knowledge, there continue to be no related appeals or interferences.

III. STATUS OF CLAIMS

The status of the claims is agreed to.

III. STATUS OF AMENDMENTS

The status of the amendments is agreed to.

IV. SUMMARY OF CLAIMED SUBJECT MATTER

The summary of the claimed subject matter is agreed to.

V. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Whether the rejection of claims 1-6, 8, 11-12, 18, 20-22, and 24-26 under 35 U.S.C. § 103(a) as being unpatentable over Yang in view of Brezak is proper.

Whether the rejection of claims 9-10 under 35 U.S.C. § 103(a) as being unpatentable over Yang in view of Brezak and further in view of Tung is proper.

VI. ARGUMENTS

In the Response to Argument section of the Examiner's Answer, the Examiner incorrectly argues that Yang "actually considers a time reference," because Yang considers whether there is a session in progress. Appellant respectfully submits that it is improper to equate an indication of whether a session is in progress with a time duration.

The Examiner fails entirely to respond to Appellant's argument that Yang teaches away from taking into account any time period associated with the validity or expiration of an authentication token, and teaches away from receiving the second signal or request "prior to expiration of time T," "during time T" and "during a time duration T."

The Examiner also fails entirely to respond to Appellant's argument that Brezak teaches away from rejecting a second signal or request that is received "prior to expiration of time T," "during time T" and "during a time duration T."

For at least the reasons set forth in the Appellant's Appeal Brief and set forth above, Appellant respectfully submits that the rejection of claims 1-6, 8, 11-12, 18, 20-22, and 24-26 under 35 U.S.C. § 103(a) as being unpatentable over Yang in view of Brezak, and the rejection of claims 9-10 under 35 U.S.C. § 103(a) as being unpatentable over Yang in view of Brezak and further in view of Tung, are in error and should be reversed, and the claims allowed.

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Therefore, Appellant respectfully requests that the Board withdraw the rejections and allow these claims to pass to allowance.

Respectfully submitted,
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